

REMARKS/ARGUMENTS

Claims 1-28 were originally filed. Concurrently with the original filing of this application, a Preliminary Amendment was filed amending certain of the claims and canceling certain of the claims so that only claims 1-4, 7-14, 17-25 and 27-28 are pending.

The Office Action mailed February 9, 2005 failed to address these claims. Rather the Office Action addressed the originally filed claims. For example, in the double patenting rejection, the originally filed claims are recited rather than the claims as presented in the Preliminary Amendment. Further, in the prior art rejections, the originally filed claims were addressed rather than the claims presented in the Preliminary Amendment.

Accordingly issuance of a revised (Non-Final) Office Action, or a Notice of Allowance, addressing the claims presented in the Preliminary Amendment is requested.

Rejection comments:

It is noted that the cited references, and in particular Barrett *et al.* (US Patent No. 6,400,381) and Okada *et al.* (US Patent No. 6,393,461), fail to teach or suggest limitations of the claims presented in the Preliminary Amendment. For example, the cited references fail to teach or suggest the limitations of "receiving a reply comment from the second user wherein the first user and the second user are **not connected in an instant messaging session**" and "if the reply comment fits a matching criteria, **connecting the first and the second user in an instant messaging session**" as recited in claim 1. (emphasis added) Similar limitations are presented in all other pending claims.

IDS:

It is also noted that the IDS filed concurrently with the filing of this application was not included with the Office Action mailed February 9, 2005. Accordingly, it is respectfully requested that the Examiner consider the references cited therein and that these references be listed on any Patent to issue from this application.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,


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